

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STUART REGES,

*Plaintiff,*

v.

ANA MARI CAUCE, et al.,

*Defendants.*

CASE NO. 2:22-cv-00964-JHC

**[PROPOSED] ORDER GRANTING  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT**

Before the Court is Plaintiff's Motion for Summary Judgment. [Dkt. # 60.] Upon consideration of the Motion, opposition, and pleadings on file, and for good cause shown, the Court hereby **GRANTS** the Motion in favor of Plaintiff on all Counts.

The Court hereby **ORDERS** that:

1. Individual-capacity Defendants Nancy Allbritton, Magdalena Balazinska, and Daniel Grossman are liable under 28 U.S.C §§ 1983 and 1988 for compensatory damages and reasonable attorneys' fees and costs to Plaintiff, with the amounts to be determined at trial, and all other further legal and equitable relief as the Court may deem just and proper, on Plaintiff's First and Second Causes of Action;
2. Individual-capacity Defendants Allbritton, Balazinska, and Grossman, and their agents, are enjoined from removing or otherwise censoring Plaintiff's Statement—"I acknowledge that by the labor theory of property the Coast Salish

1 people can claim historical ownership of almost none of the land currently occupied  
2 by the University of Washington”—from his syllabi, on Plaintiff’s First Cause of  
3 Action;

4 3. Official-capacity Defendants Ana Mari Cauce, Allbritton, Balazinska,  
5 and Grossman, and their agents, are enjoined from taking further adverse  
6 employment actions against Plaintiff because of his Statement or based on  
7 complaints about his Statement—including pursuing any investigation or  
8 disciplinary action, creating competing or “shadow” sections of his courses, or  
9 withholding future salary increases—on Plaintiff’s Third Cause of Action;

10 4. Defendant Cauce, in her official capacity as president of UW, and her  
11 agents, is enjoined from enforcing UW Executive Order 31’s ban on “unacceptable or  
12 inappropriate” conduct, on Plaintiff’s Fourth and Fifth Causes of Action. Executive  
13 Order 31 can only apply to conduct that meets the legal definitions of discrimination,  
14 harassment, or retaliation;

15 5. Defendant Cauce, in her official capacity, and her agents, is enjoined  
16 from enforcing UW Executive Order 31 against Plaintiff because of his Statement, on  
17 Plaintiff’s Fourth and Fifth Causes of Action.

18 The Court hereby **DECLARES** that:

19 6. Defendants’ disciplinary investigation into Plaintiff, withholding of his  
20 merit pay increase because of his Statement, and the threat of future adverse  
21 employment actions against him for his Statement, violate the First Amendment;

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1           7. Defendants’ creation of competing or “shadow” sections in Winter  
2 Quarter 2022 and Spring Quarter 2022 of Plaintiff’s introductory computer science  
3 courses, because of Plaintiff’s Statement, violates the First Amendment;

4           8. UW Executive Order 31 is unconstitutionally vague and overbroad in  
5 that it prohibits “unacceptable or inappropriate” speech.

6 **IT IS SO ORDERED.**

7 **SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2024.**

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The Honorable John H. Chun  
U.S. District Judge  
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